

Minutes of a Community Development Agency Town Board Meeting held by the Town Board of the Town of Riverhead at Town Hall, 200 Howell Avenue, Riverhead, New York, on Tuesday, March 4, 2003, at 9:18 p.m.

Present:

Robert Kozakiewicz,	Chairman
James Lull,	Member
Edward Densieski,	Member
Barbara Blass,	Member
Rose Sanders,	Member

Also Present:

Barbara Grattan,	Town Clerk
Dawn Thomas, Esq.,	Town Attorney

Absent:

Andrea Lohneiss,	Director
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Chairman Kozakiewicz: "Got you working tonight, Barbara."

Barbara Grattan: "You better believe it. That's this one."

Chairman Kozakiewicz: "We have Resolution #5 which, I'm not sure if the rest of you share- that's the one would be to authorize the execution of agreement- this is the Vail Leavitt Music Hall, Inc. This is- I know you have the others. There is Resolution #5 which is-okay."

(Some inaudible discussion among the Board members)

Resolution #5

Chairman Kozakiewicz: "Let's take up 5. And we'll- that is the resolution which is authorizing an agreement with the Council for Vail Leavitt Music Hall, Inc."

For those of you who regularly watch, you notice usually that the CDA Director Andrea Lohneiss would be here at this point offering these resolutions. She left sick today which is kind of why we're in the state we're in.

So, in any event, is there a motion to move Resolution #5 which is the Riverhead Community Development Agency resolution?"

Member Blass: "I will move that, Mr. Chairman."

Chairman Kozakiewicz: "Okay. Is there a second?"

Member Sanders: "Second."

Chairman Kozakiewicz: "Okay. Vote, please."

The Vote: "Sanders, yes; Blass."

Member Blass: "Yes. And I had occasion to visit the Vail Leavitt the other day to see the progress and it's-- it's really remarkable and I commend everyone who's been involved in that restoration program. Yes."

The Vote (Cont'd.): "Densieski, yes; Lull."

Member Lull: "Make sure you have it ready for me this summer so we can have some of the concerts there. Yes."

The Vote (Cont'd.): "Kozakiewicz, yes. The resolution is adopted."

Resolution #6

Barbara Grattan: "Okay, then we've got Resolution #7."

Chairman Kozakiewicz: "This one will be Resolution #6 although it's- "

Barbara Grattan: "No."

Chairman Kozakiewicz: "Was there a tabling of #6?"

Barbara Grattan: "We had a 6."

Chairman Kozakiewicz: "That was tabled?"

Barbara Grattan: "It was adopted."

Chairman Kozakiewicz: "Oh, okay. All right."

Barbara Grattan: "Now this is 7."

Chairman Kozakiewicz: "That's why. Okay. Thank you, Barbara, for keeping track. Okay."

Resolution #7

Barbara Grattan: "This is #7. Authorizes the Chairman to execute a license agreement with Festival Holdings. Councilman Densieski."

Member Densieski: "Discussion."

Chairman Kozakiewicz: "Yes."

Member Densieski: "I'm not- I didn't- I wasn't aware this was coming. But and I do support it but I do have a question. The North Fork Classic- has all those details been worked out or (inaudible)."

Chairman Kozakiewicz: "I think there's still- there's- I'll be honest. If these are major issues to the Board, we can do one of two things. Withhold this resolution or I'll withhold signing anything until there's a level of comfort as far as what we're doing with North Fork Classic."

Member Densieski: "Okay. I have no problem voting to authorize you to do this but I just want you to know that North Fork Classic has been there, I'd like them to stay there and I think we need to work, you know, around North Fork Classic. But I also support this."

Chairman Kozakiewicz: "Okay. Any other discussion?"

Member Densieski: "No."

Chairman Kozakiewicz: "Has it been moved? Is there a motion to move it?"

Member Densieski: "No. Authorizes the Chairman to execute a license agreement with Festival Holdings, LLC. So moved."

Member Lull: "Second."

Chairman Kozakiewicz: "Moved and seconded."

The Vote: "Sanders."

Member Sanders: "I still have some concerns. Having two of the same type of events back to back when we haven't tried successfully or unsuccessfully at this point and until I'm convinced that the town can handle, survive crowds that they anticipate, I would like to hold my opinion as to whether I would support several multiple festivals-music festivals during the same period of time. So I'm going to vote no."

The Vote (Cont'd.): "Blass."

Member Blass: "My opinion has not changed since the last time this resolution was introduced at the last meeting. I agree that we would like to take an opportunity to try to see what we will be experiencing in these festivals. We will not have a reasonable period of time to correct anything we may need to correct within a six week short time frame. We have no idea whether our infrastructure can handle the campers and everything else that will be coming to the site and while I'm very willing to try it once, we would not have, if we sign this agreement, we will not have an opportunity to recover if it turns out that the first one was not successful. So I'd rather give ourselves a little more breathing room and do one at a time. My vote is no."

The Vote (Cont'd.): "Densieski."

Member Densieski: "A few years ago when they brought the Blues Festival to town people said it would be bad for the town. It's going to bring the wrong people to town. The Blues Festival has been a major, major success for the town.

These concerts are a little different. They're going to actually pay us a lot of money to have concerts there and we may make a couple mistakes and we will learn from every mistake that we make. Hopefully, we won't make many.

I think these are good for town. We keep saying we want to be a tourist town. This is a good way to get tourists in, let them spend some money and go back home. I think we have a very competent (inaudible) departments in town and the police department, I think they'll be able to handle it. They have their own security. I say let's make the money. It's probably \$150,000. I think it's going to be good for town and I don't see any reason why we shouldn't get as many of these as we can. I'm going to vote yes."

The Vote (Cont'd.): "Lull."

Member Lull: "I've been long an advocate of having a section of the property at Calverton to be a special events property. I have long been an advocate of that since long before I was on the Board.

We have an opportunity to see how that can work this year. If things all work out correctly we will have four activities, four major events on the property. I think it's a chance to see what we can do. If we can't handle it, we can't handle it. But I think to see what this summer can be like and what it can bring as Ed mentioned. These festivals are paying \$150,000 for the weekend. So it is going to be profitable for us. And so, hopefully, we can take in some money and we can move- use some of that money to improve the property on which we can have a special events section. I vote yes."

The Vote (Cont'd.): "Kozakiewicz."

Chairman Kozakiewicz: "I vote yes as well. This is really sort of the first step. This is the ability to enter into a license agreement and to be very fair, we have been extremely clear with these parties that this is really just that, a license agreement.

They need to gain Suffolk County Department of Health Department mass gathering approvals. They need to come back to the Town Board as far as a Chapter 90 permit approval. They need to meet with the Police Department and satisfy them as far as security concerns, transportation concerns. They need to meet with the Fire Departments to address fire safety concerns, and that's what's going to be their task now. This is allowing them a right to utilize a portion of the premises to conduct this event and in return therefore to pay the town a license fee of \$150,000.

But this is not the end. They are not going to be permitted to go out there tomorrow or the next day or the next day. They will need to compile a plan. They will need to meet with the interested parties who will be concerned about monitoring traffic flows as I've repeated, and I vote yes to allow this to proceed forward and we've made it clear that they're responsible for garbage removal, they're responsible for security. They're responsible for infrastructure improvements.

It started out where they wanted the town to share in the infrastructure improvement costs and we said no, we're not interested in paying for the infrastructure costs that would be essentially benefitting you. This is something that you have to pay for as far as the costs are concerned. You have to pay for the security. You have

to bring the adequate porta potties in to make sure that there is adequate sanitary. You have to make sure that there's adequate health officials, emergency medical services and service areas in order to deal with medical emergencies that may arise.

And, believe me, the Suffolk County Department of Health Services will also put that onus on them, if not more- certainly more emphatically than we will. They will not allow any mass gathering to take place out there without being fully satisfied that all the Health Department and health and safety concerns are being addressed.

I think this is, again, something that will expose the town, will bring people to the property. It will help promote the tourism that we've been looking to promote. It will provide short term gain.

I will also point out that if they can get to the point where they've satisfied all these parties, they have indicated a desire to go out to the not for profits, they have indicated a desire to go to the service organizations. They have indicated the desire to go to the local businesses to buy their supplies so there will be- in order to make this work, community outreach by this group so that the community will in the end, I hope and they hope, support the project so that they're involved. And I hope that's what happens and I'm willing to move forward on the basis of what's been represented. Yes."

Barbara Grattan: "The resolution is adopted."

Chairman Kozakiewicz: "Thank you. Any other business? Okay."

Meeting adjourned: 9:29 p.m.

Barbara Grattan
Town Clerk

3/4/03

Adopted

Town of Riverhead

Resolution # 5

Authorizes Chairman to Execute Agreement with the Council for the Vail Leavitt Music Hall, Inc.

COUNCILWOMAN BLASS

_____ offered the following resolution,

COUNCILWOMAN SANDERS

which was seconded by _____:

WHEREAS, the Town of Riverhead has supported the Council for the Vail Leavitt Music Hall for 20 years, including the procurement of numerous grants to provide for the acquisition and restoration of the National Historic Landmark.

WHEREAS, the Council for the Vail Leavitt Music Hall Inc. requires further exterior and/or interior capital improvements, furnishings and equipment for refurbishment of the Vail Leavitt Music Hall; and

WHEREAS, the Town of Riverhead in recognition of the importance of completing the restoration of the Vail Leavitt Music Hall as a tourist attraction in downtown Riverhead, and consistent with the goals and objectives of the East Main Street Urban Renewal Plan, desires to encourage those projects that generate visitors to the downtown business district; and

THEREFORE BE IT RESOLVED, that the CDA Chairman is hereby authorized to execute an agreement with the Council for the Vail Leavitt Music Hall, Inc. to provide for a grant of \$50,000 to the Council.

THEREFORE, BE IT FURTHER RESOLVED, that the Town Clerk shall provide a certified copy of this resolution to Community Development Agency Director Andrea Lohneiss and the Council for the Vail Leavitt Music (PO Box 147, Riverhead, NY 11901).

THE VOTE

Sanders	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No	Blass	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No
Dencieski	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No	Lull	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No
Kozakiewicz	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No			

THE RESOLUTION WAS ☒ WAS NOT ☐
THEREUPON DULY ADOPTED

AGREEMENT

Between the Town of Riverhead Community Development Agency, a public benefit corporation, located at 200 Howell Ave., Riverhead, NY 11901, hereinafter referred to as the "CDA" and the Council for the Vail Leavitt Music Hall, a not-for-profit corporation located at 18 Peconic Avenue, Riverhead, NY 11901, hereinafter referred to as the "Council".

WITNESSETH

WHEREAS, the CDA, in support of an historic building listed on the National Register of Historic Places, in recognition of the importance of completing the restoration of the Vail Leavitt Music Hall in downtown Riverhead, and consistent with the goals and objectives of the East Main Street Urban Renewal Plan, desires to encourage and support those projects that preserve historic landmarks and generate visitors to the downtown business district; and

WHEREAS, significant progress has been made by the Council to complete improvements necessary to complete the restoration and accommodate the public for cultural venues; and

WHEREAS, the Council requires exterior and/or interior capital improvements, furnishings and equipment for completion of the restoration of the Vail Leavitt Music Hall.

THEREFORE, BE IT RESOLVED, by the CDA and the Council as follows:

1. In recognition of the above, the CDA shall provide the Council the sum of \$50,000.
2. The Council shall utilize funding provided by the CDA for capital improvements, furnishings and equipment, and shall request reimbursement based on submission of documents of all expenditures and required backup to the satisfaction of the Town of Riverhead and prior to December 31, 2003.
3. In recognition of the funds provided, the Council shall permit the Town of Riverhead to annually hold five events at the facility for a period of five years beginning on the date of substantial completion, estimated to be on or about May 31, 2003.
4. The Council shall continue to make its best efforts to restore the theatre to its original condition reflective of its historic significance.

AGREEMENT

Between the Town of Riverhead Community Development Agency, a public benefit corporation, located at 200 Howell Avenue, Riverhead, NY, hereinafter referred to as the "CDA" and the **Council for the Vail Leavitt Music Hall**, a not-for-profit corporation, located at 18 Peconic Avenue, Riverhead, NY 11901, hereinafter referred to as the "Council."

WITNESSETH

WHEREAS, the CDA in recognition of the importance of completing the restoration of the Vail Leavitt Music Hall as a tourist attraction in downtown Riverhead, and consistent with the goals and objectives of the East Main Street Urban Renewal Plan, desires to encourage those projects that generate visitors to the downtown business district; and

WHEREAS, significant progress has been made by the Council to complete improvement necessary to accommodate the public for cultural venues; and

WHEREAS, the Council requires exterior and/or interior capital improvements, furnishings and equipment for refurbishment of the Vail Leavitt Music Hall.

THEREFORE IT IS HEREBY AGREED, by the CDA and the Council as follows:

1. In recognition of the above, the CDA shall provide the Council the sum of \$50,000.
2. The Council shall utilize funding provided by the CDA for capital improvements, furnishings and equipment, and shall request reimbursement based on submission of documents of all expenditures and required backup to the satisfaction of the Town of Riverhead and prior to December 31, 2003.
3. In recognition of the funds provided, the Council shall permit the Town of Riverhead to hold five events at the facility over a 12 month period beginning on the date of substantial completion, estimated to be on or about May 31, 2003.

DATED: Riverhead, New York

Town of Riverhead CDA

By: _____
Chairman

Grantee

By: _____
President

Dated: Riverhead, New York

Town of Riverhead CDA

By: _____
Chairman

Vail Leavitt Music Hall

By: _____
President

03/04/03

Adopted

TOWN OF RIVERHEAD

COMMUNITY DEVELOPMENT AGENCY

Resolution # 17

**AUTHORIZES THE CHAIRMAN TO EXECUTE A LICENSE AGREEMENT
WITH FESTIVAL HOLDINGS, LLC**

Councilman Densieski offered the following resolution, was seconded
by

Councilman Lull :

WHEREAS, Festival Holdings, LLC has submitted an application for the purpose of conducting the Music Festival to be held on the Calverton Enterprise Park picnic grounds at Rte. 25, Calverton, New York, in August 2003; and

WHEREAS, the land upon which the Festival is to be held is owned by the Town of Riverhead Community Development Agency; and

WHEREAS, Festival Holdings, LLC, requires the additional approval of the Town Board for a Special Event pursuant to Chapter 90 of the Town Code of the Town; and

WHEREAS, Festival Holdings, LLC, requires a license from the CDA to utilize the aforementioned land.

NOW THEREFORE BE IT RESOLVED, that the CDA authorizes the Chairman to execute a license agreement with Festival Holdings, LLC substantially in the form attached hereto; and be it further

RESOLVED, that this approval is subject to the applicant obtaining approval pursuant to Chapter 90 of the Riverhead Town Code; and be it further

RESOLVED, that a fire safety inspection by the Town Fire Marshal is required prior to the opening of this event to the public; be it further

RESOLVED, that the Town Clerk is hereby authorized to forward a certified copy of this resolution to Festival Holdings, LLC; 1128 Dublin Street, Suite 200, New Orleans, Louisiana, 70118 ; Ken Testa, P.E. and Chief David Hegermiller, Riverhead Police Department; Office of the Town Attorney and Office of Accounting.

THE VOTE
Sanders Yes No Bless Yes No
Densieski Yes No Lull Yes No
Kozakiewicz Yes No
THE RESOLUTION WAS X WAS NOT
THEREUPON DULY ADOPTED